



National Labor Relations Board

HONORS PROGRAM

HANDBOOK



FOREWORD

The purpose of this Honors Program Handbook is to describe the duties, responsibilities and benefits of an attorney at the National Labor Relations Board. Accurate as these descriptions may be, they can never do justice to the personal and professional satisfaction that you will derive from service as an NLRB attorney.

For over 65 years, the Board has made the twin national policies of labor peace and workplace democracy a reality for thousands of employers and millions of employees. Our nation's transformation from an agrarian to an industrial society and then to the technological age has brought significant changes and challenges to the workplace. The energy, vision and imagination of the NLRB's attorneys have ensured the Agency's ability to adapt and effectively pursue its mandate of fostering peaceful industrial relations through law.

During these many years, the NLRB's attorneys have honorably represented the public interest in the highly charged field of labor-management relations, and thereby have earned a reputation for impartiality, integrity and efficiency in carrying out the Agency's mission. You will follow in their footsteps. As an NLRB attorney, you will have the opportunity to shape and influence national labor law and policy, and through your work you will bring to life and implement the mandates of the National Labor Relations Act. Responsibility will come to you sooner and in greater degree than it will with your counterparts in the private sector, and your professional development will be continuing. We are confident that fulfilling your duties as an NLRB attorney will instill in you the same pride in public service that Agency attorneys have had since 1935.

CONTENTS

| | Page |
|--|------|
| Foreword | 2 |
| Introduction | 4 |
| Work of the NLRB | 4 |
| Structure of the NLRB | 5 |
| Organizational Charts | 6 |
| Litigating an Unfair Labor Practice Charge | 7 |
| Offices Participating in Honor Program | 8 |
| Qualifications | 14 |
| Training and Career Development | 15 |
| Benefits | 16 |
| Travel | 18 |
| Employment Policy | 18 |
| Experienced Attorney Employment | 18 |
| Law Intern Program | 18 |
| Pro Bono Opportunities | 19 |
| Application Materials | 19 |
| Application Addresses | 20 |



Police attacking striking textile workers, Passaic, N.J., 1926. Hostility between labor and management ran high in the 1920s, creating the need for a national law covering labor disputes.

INTRODUCTION

Since 1935, when Congress created the National Labor Relations Board as an independent federal agency charged with administering the primary law governing relations among employees, their unions, and employers, the Agency has been protecting the public interest by promoting industrial peace. The federal statute that the Agency administers, the National Labor Relations Act (NLRA), guarantees the right of employees to organize and to bargain collectively with their employers, or to refrain from all such activity. The Act implements the national labor policy of assuring freedom of choice and encouraging collective bargaining.

As an independent federal agency, the National Labor Relations Board (Agency or NLRB) is represented by its own attorneys when appearing in the U.S. courts of appeals,

U.S. district courts and U.S. bankruptcy courts. No Federal agency brings more cases before the U.S. courts of appeals than the NLRB. The Agency currently employs approximately 750 attorneys nationwide, about one-third of which are employed in the Agency's headquarters office located in Washington, D.C.

The Agency has prepared this handbook to assist you in considering the public legal service opportunities that the Agency offers. It provides general information about the Agency's operations as well as detailed information about the different types of legal work performed by each of the various Agency headquarters offices that participate in the Honors Program as well as other Agency offices in which you may serve a training detail and to which you may have an opportunity to transfer. The handbook also provides information concerning employment benefits and other matters that may be important considerations for you. If you have any questions that this handbook does not answer, you are encouraged to contact any of the Agency offices in which you are interested (their telephone numbers and addresses are set forth below), or the Agency's website (www.nlrb.gov).

WORK OF THE NLRB

The NLRB has two principal functions: (1) to determine, through secret-ballot elections, the free democratic choice by employees whether they wish to be represented by a union in dealing with their employers, and if so, by which union; and (2) to prevent and remedy unlawful acts, called unfair labor practices, by either employers or unions. The Agency does not act on its own motion in either function. It processes only those charges of unfair labor practices and petitions for employee elections filed by private parties in one of the Agency's 52 Regional, Subregional, or Resident Offices.



Painting depicting President Roosevelt signing the National Labor Relations Act (Wagner Act) on July 5, 1935.

STRUCTURE OF THE NLRB

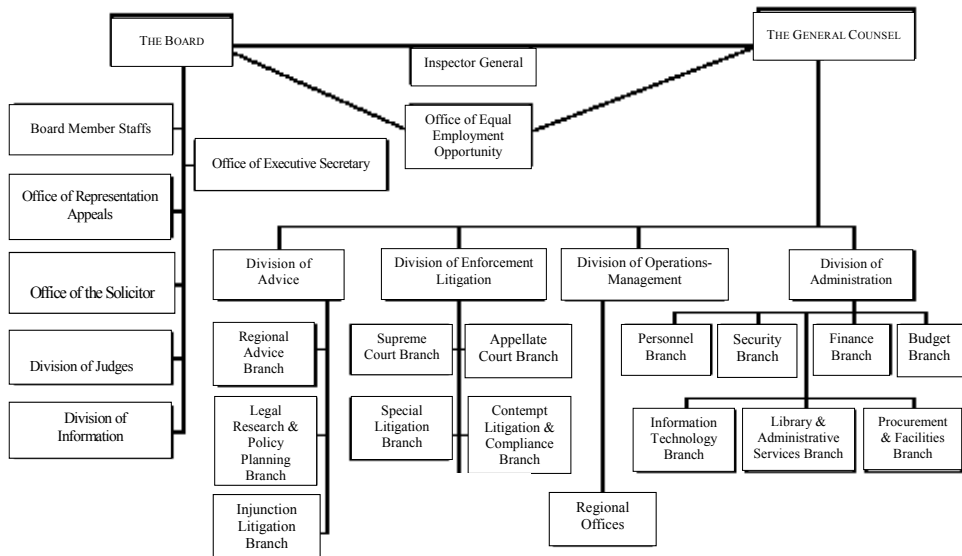
The Agency has two major, separate components. The **Board** itself has five Members and primarily acts as a quasi-judicial body in deciding cases on the basis of formal records in administrative proceedings. Board Members are appointed by the President to 5-year terms, with Senate consent, with the term of one Member expiring each year. The current members of the Board are: Robert J. Battista (Chairman), Wilma B. Liebman, Peter C. Schaumber, Dennis P. Walsh and R. Alexander Acosta.

The **General Counsel**, appointed by the President to a 4-year term, with Senate consent, is independent from the Board and is responsible for the investigation and prosecution of unfair labor practice charges and for the general supervision of the NLRB field offices in the processing of cases. The current General Counsel is Arthur F. Rosenfeld. Each Regional Office is headed by a Regional Director who is responsible for making the initial determination in cases arising within the geographical area served by the Region.



Workers at the Ford Motor Company in Dearborn, MI, vote on whether they wish to be represented by a union. “Democracy cannot work unless it is honored in the factory as well as the polling booth; men cannot be truly free in body and in spirit unless their freedom extends into the places where they earn their daily bread.” Senator Robert F. Wagner in 1935, upon offering his bill that was to become the nation’s basic labor law.

ORGANIZATIONAL CHART



LITIGATING AN UNFAIR LABOR PRACTICE CHARGE

When an unfair labor practice charge is filed, the appropriate Agency office conducts an investigation to determine whether there is reasonable cause to believe that the Act has been violated. If the Regional Director determines that the charge lacks merit, it

petition a U.S. district court for an injunction to prevent temporarily unfair labor practices by employers or unions and to restore the status quo, pending review of the case before the Agency. The district court may grant such temporary relief as it deems “just and proper.” The district court’s order, subject to appeal in a U.S. court of appeals, remains in effect while the Board fully adjudicates the



McClellan Committee hearing, May 1957. From left, Sen. John McClellan of Arkansas, Committee Counsel Robert F. Kennedy, Sen. John F. Kennedy of Massachusetts and Sen. Carl Mundt of South Dakota. During the late 1950s, Congress brought the labor movement under close scrutiny for corruption, racketeering and other misconduct. The investigation of the McClellan Committee convinced Congress to grant the NLRB authority to regulate certain misconduct by unions.

will be dismissed unless the charging party decides to withdraw the charge. A dismissal may be appealed to the General Counsel’s Office of Appeals in Washington, D.C.

If the Regional Director finds reasonable cause to believe that a violation of the Act has been committed, the Regional Office seeks a voluntary settlement to remedy the alleged violations. If these settlement efforts fail, a formal complaint is issued. At this time the Regional Office considers whether to

merits of the unfair labor practice complaint, or until the case is settled.

After issuance of the complaint, the case goes to a hearing before an NLRB administrative law judge. The judge issues a recommended decision and order that may be appealed to the five-Member Board in Washington, D.C., for a final Agency determination known as a final order. The respondent and the charging party may seek review of that portion of the Board’s final order that it

lost before a U.S. court of appeals. The Agency's Appellate Court Branch may also petition a U.S. court of appeals to enforce the Board's order. If the respondent fails to comply with a court judgment enforcing the Board's order against it, the Agency's Contempt Litigation and Compliance Branch will determine whether to institute civil or criminal contempt proceedings against the respondent. In the event the respondent files for bankruptcy during the life of the case, the Contempt Litigation and Compliance Branch or the Special Litigation Branch will actively pursue the Agency's interests before the U.S. bankruptcy courts.

OFFICES PARTICIPATING IN HONORS PROGRAM

From the standpoint of a law student considering government service, the National Labor Relations Board is unusual in one important respect—it provides experience in all phases of legal practice. Its attorneys investigate and prosecute cases; they do appellate work before the Board itself as well as the U.S. courts of appeals and the U.S. Supreme Court; and they serve as "house counsel" to this large, independent agency, advising its General Counsel and Regional Offices on cases presenting complex legal issues or those involving delicate questions of labor law policy.

A description of the legal work performed by each of the Agency headquarters offices participating in the Honors Program follows:

BOARD

- Board Members Staffs

- Office of Representation Appeals
- Office of the Solicitor

Board Member Staffs

A staff attorney to a Board Member researches cases, analyzes legal issues, and drafts decisions for the Board. The position is the functional equivalent of a law clerk to an appellate court judge.

A staff attorney is given substantial independent primary casehandling authority, including responsibility for reading transcripts of proceedings before administrative law judges and hearing officers, reviewing exhibits, and considering arguments raised on brief in light of the record, legal precedent and labor policy. After a case has been thoroughly reviewed and researched, the staff attorney orally presents the case to the Board Member and makes recommendations as to its resolution.



Greyhound picketers at Port Authority in New York during the strike by the Amalgamated Council of Greyhound Local Unions.

The staff counsel confers with representatives of other Board Members participating in the case in order to reach a final Board determination. Once such a determination is reached, staff counsel prepares a draft decision, which may include a dissenting or concurring opinion. Approved drafts ultimately issue as final Board orders, which generally are published in the Board's bound volumes.

The staff attorney position affords attorneys an exceptional opportunity to perform an important public service and participate in the formulation of national labor law and policy, while developing a broad expertise in labor relations with a government agency that has long been respected for the competence and integrity of its workforce.

Representation Appeals

The Office of Representation Appeals is attached to the Office of the Chairman of the Board. Representation Appeals is assigned responsibility for processing all Requests for Review (appeals) by parties from formal decisions issued by Regional



National Football Players Association President Gene Upshaw addressing Board concerning the \$30 million backpay settlement secured by the Board in its case against the National Football League. The Board was also widely credited with bringing an end to the professional baseball strike in 1995 by securing an injunction requiring the owners to withdraw their unilaterally imposed changes to the negotiated system of setting wages in baseball.



Former Board Chairman William B. Gould IV (standing left) shaking hands with former Board Chairman John C. Truesdale, and former General Counsel Fred Feinstein (seated right).

Directors under their delegated authority to render decisions in representation cases, subject to review by the Board, including other pre- and post-election matters requiring decision by the Board. Representation Appeals is also assigned responsibility for rendering advice to Regional Directors on substantive and procedural questions in particular cases, maintaining technical review and evaluation of the decisional activities of all Regional Directors, and recommending to the Board policy or legal changes in existing precedent governing representations cases.

New attorneys in Representation Appeals have immediate and direct responsibility for their cases, including making recommendations directly to Board Members and senior staff.

They perform the appropriate legal research, prepare memoranda of law, and draft decisions and orders for Board members. They may also orally present cases before the Board and/or their staff.

Office of the Solicitor

The Solicitor's Office screens and makes recommendations to the Board regard-

ing the General Counsel's requests for Board authorizations to: (1) institute 10(j) injunction proceedings in Federal district court; (2) institute civil contempt proceedings; and (3) intervene in non-Board litigation. The Office also screens to the Board the General Counsel's memoranda concerning whether the Board should seek certiorari in cases where the Board's decision has not been enforced by U. S. circuit courts of appeals. The Solicitor's Office subsequently advises the General Counsel of the Board's action on these matters.

The Solicitor's Office also advises the Board, on and recommends dispositions of: (1) requests filed by parties for special permission to appeal actions and procedural rulings by Regional Directors and administrative law judges in unfair labor practice cases;



The United States Postal Service and the American Postal Workers Union (which represents approximately 350,000 Postal Service employees) agreed to follow an alternative dispute resolution procedure for processing refusal-to-provide information cases that would have otherwise been brought initially to the Board for resolution as unfair labor practice charges. The ADR program was negotiated as part of a case settlement with the Agency's Contempt Litigation & Compliance Branch. Pictured above at the ADR signing ceremony are (l to r) former General Counsel Fred Feinstein, Peter Bazylewicz, Manager, Grievance and Arbitration, USPS, William Burrus President, APWU, and former Board Chairman William B. Gould IV.

(2) petitions to revoke investigatory and trial subpoenas, (3) motions for summary judgment, and (4) requests from state agencies and courts and the National Mediation Board for advisory opinions concerning the Board's jurisdiction. In addition, the Solicitor's Office handles formal settlements forwarded for Board approval by the Regions, Legislative Referral Memoranda from OMB, and petitions for rulemaking.

Finally, the Solicitor's Office provides advice to the Board, Executive Secretary's Office, Division of Information, and other offices on a variety of other matters and issues, including issues arising under the NLRA, APA, FOIA, Sunshine Act, and Privacy Act.

OFFICE OF THE GENERAL COUNSEL

Division of Enforcement Litigation

Appellate Court Branch
Contempt Litigation &
Compliance Branch
Special Litigation Branch
Supreme Court Branch
Office of Appeals

Division of Advice

Regional Advice Branch
Injunction Litigation Branch
Research & Policy Planning
Branch

DIVISION OF ENFORCEMENT LITIGATION

Appellate Court Branch

The Appellate Court Branch of the Division of Enforcement Litigation represents the Board in all cases involving the enforcement or review of the Board's final orders in the U.S. circuit courts of appeals.

Branch attorneys litigate cases in every circuit court of appeals except the Federal circuit. The Branch's cases frequently present cutting-edge labor law issues or involve high-profile labor disputes.

Appellate Court Branch attorneys play a significant role in the Agency because they must protect the Board's precedents and policy choices in the course of defending the Board's decisions under review in the courts of appeals. Accordingly, Branch attorneys are involved in shaping and influencing the future of labor law in the courts.

The Branch's work is also important to the victims of unfair labor practices because Board orders are not self-enforcing, and, therefore, an employer or union found to have committed an unfair labor practice can only be compelled to comply with that order after it has been enforced through an order of a court of appeals.

Attorneys in the Branch handle all aspects of appellate litigation, including drafting the Board's brief, and presenting oral argument before a three-judge panel of the court of appeals, filing procedural and substantive motions, and engaging in settlement negotiations. As necessary during the case, Branch attorneys interact with opposing counsel (who represents the party who lost before the Board), counsel for the intervenor (who represents the party who won before the Board), counsel for any amicus curiae, as well as the clerks for the courts of appeals. Each new attorney works with a supervisory attorney who advises the attorney during the briefing process, reviews and edits the attorney's draft, and arranges a moot court before a panel of supervisors and/or fellow attorneys before every oral argument.

Contempt Litigation & Compliance Branch

The function of the Contempt Litigation and Compliance Branch is to conduct

civil and criminal contempt litigation in the U.S. courts of appeals to coerce compliance or to punish non-compliance with judgments enforcing orders to ensure that assets will not be dissipated in an effort to avoid the payment of backpay judgments; to institute and monitor ancillary collection proceedings; to assist the Regional Offices in bankruptcy proceedings filed by respondents; and to obtain other injunctive relief *pendente lite*.

Contempt litigation is nationwide in scope, affects all segments of industry and applies to all unfair labor practices proscribed by law. Through this litigation, the Branch



Anne M. Lofaso, Attorney, Appellate Court Branch. "My first exposure to labor law was in 1989, when, as a first year law student at the University of Pennsylvania, I took a survey course in labor law with professor Clyde Summers. I loved the subject matter so much that I joined the Labor Journal, took several more labor and employment law classes, and ended up receiving a Fulbright Scholarship to read labor law at Oxford. During a one-year leave of absence, I clerked for the Honorable James L. Oakes, U.S. Court of Appeals for the Second Circuit, before finally graduating from Oxford with a Doctorate in Philosophy. So you can imagine, in light of my background, how excited I was when the NLRB offered me a job in the Appellate Court Branch. I couldn't believe it—my job was to study labor law, write appellate briefs and present oral arguments defending the Board's decisions before the various U.S. courts of appeals throughout the country."

seeks to obtain compliance with orders of the Board that have been enforced by judgments of the U.S. courts of appeals and other orders of the courts of appeals, and thereby effectuate the policies enunciated in the National Labor Relations Act and the orders of the courts.

Work in the Contempt Branch is centered in four primary areas: civil contempt, criminal contempt, protective order/collection work and compliance guidance.

Civil contempt actions involve, among other things, evidentiary investigations, the drafting of internal legal memoranda and court pleadings, civil discovery (document production, requests for admissions, depositions, interrogatories), motions practice, settlement negotiations, bench trials, the drafting of appellate briefs and the presentation of appellate arguments.

Criminal contempt actions involve, in addition to much of the work detailed above, Federal grand jury work and jury trials.

The Contempt Branch is also responsible for obtaining injunctive relief in order to ensure compliance with enforced Board orders, engaging in affirmative bankruptcy litigation and collection work, and providing guidance and assistance to the Board's Regional Offices in enforcement and compliance matters.

Special Litigation Branch

The Special Litigation Branch is primarily responsible for representing the Board or the General Counsel, as a party or amicus, in litigation in the U.S. district and bankruptcy courts, and the U.S. courts of appeals, in all cases except those arising directly from the enforcement of Board Decisions and Orders.

These cases often involve politically sensitive issues and have a high public pro-

file. While knowledge of the National Labor Relations Act is necessary, the Branch's litigation generally involves cases brought under the Equal Access to Justice Act, the Bankruptcy Code, the Privacy Act, the Freedom of Information Act, and actions brought to mandate or prohibit specific conduct by the Board, the General Counsel and other Agency personnel.

The Branch's caseload also includes appellate and contempt litigation in subpoena enforcement proceedings and rulemaking litigation. It is the Special Litigation Branch which represents the Agency when it intervenes or appears in litigation in Federal or state courts in which the Board feels that a question affecting its jurisdiction or processes is presented. Finally, the Branch is an advisor to the Board's Regional Offices concerning any of the above issues or statutes.

An attorney in the Special Litigation Branch will be involved in some of the most factually complex and legally difficult questions occurring in the Agency. Under the guidance of his or her supervisors, the attorney is responsible for developing the legal theories on which the case will be presented, and for the necessary research of the law and other supporting authorities.

The attorney then prepares all necessary pleadings, including motions, briefs, and replies. In cases requiring Board authorization for the Agency's participation, the attorney will prepare initial recommendations to the General Counsel, and any subsequent memoranda from the General Counsel to the Board, recommending a given course of action.

Finally, absent unusual circumstances, the attorney will represent the Board in the U.S. district and bankruptcy courts, in the U.S. courts of appeals, and in the state courts, to argue and defend the Board's positions and the constitutionality of the Act, or its applications.

Supreme Court Branch

The Agency does not have independent litigating authority in the Supreme Court. Accordingly, we must obtain authorization from the Solicitor General to file a petition for certiorari. After the Board determines to seek certiorari, the Supreme Court Branch prepares a draft petition for approval by the Solicitor General. The Solicitor General also has final approval of our Supreme Court merits briefs and assigns oral arguments.

In addition to the Agency's Supreme Court litigation, the Supreme Court Branch, upon Board authorization, may prepare amicus briefs on behalf of the United States on assignment from the Solicitor General.

The Supreme Court Branch also prepares a certiorari memo to the Board in every case where the Board has not prevailed in the court of appeals. Based on the General Counsel's recommendation in the certiorari memo, the Board determines whether to seek Supreme Court review of an adverse court of appeals decision.



Legal staff of Office of Appeals receiving Presidential National Performance Review Hammer Award for reorganization of office. Office of Appeals Director Yvonne T. Dixon, seated center, former General Counsel Fred

Office of Appeals

The primary function of the Office of Appeals is to review, on behalf of the Gen-

eral Counsel, appeals of decisions by the Regional Directors to dismiss or defer unfair labor practice charges. The General Counsel has sole authority to review and sustain or deny these appeals and the decisions in such cases are not subject to review by the National Labor Relations Board or in any court.

When an appeal is filed, the full investigatory file developed in the Regional Office is forwarded to the Office. The case is then assigned to a staff attorney for review. This attorney, in conjunction with his or her supervisor, is expected to review the facts developed in the field investigation, identify the legal issues involved, find the relevant case law; and orally and in writing analyze whether, based on case precedent, the decision of the Regional Director should be reversed. When a reversal is recommended, or where, due to the novelty of the legal issues presented or the notoriety of the case, a review by the General Counsel is desirable, the attorney, with the assistance of his or her supervisor, will present the case to either the Assistant Director or Director of the Office and ultimately to the General Counsel for decision. Meetings with the General Counsel are held weekly for the purpose of discussing cases identified by the Office as deserving of General Counsel review.

The Office of Appeals also reviews appeals from Regional Directors' refusals to provide information from Regional office files to requesting parties seeking documents and records under the Freedom of Information Act (FOIA).

The Office of Appeals has a tradition of innovative legal work under FOIA and has been instrumental in assisting the General Counsel in developing the policy of disclosure of records in the Agency investigative files and on e-mail under FOIA.

A newly hired staff attorney will become quickly immersed in the leading labor law issues on a daily basis. Case assignments cover each and every section of the Act as it pertains to allegations surrounding unfair la-



Former NLRB General Counsel Jerry M. Hunter (seated center) addressing the audience at the Board's 65th Anniversary Celebration conference.

bor practice charges filed by employers, unions and individuals. Superior research and writing skills are a prerequisite for a staff attorney position and a familiarity with the Act as part of the applicant's law school curriculum would be an asset.

DIVISION OF ADVICE

Regional Advice Branch

The Regional Advice Branch provides guidance to the General Counsel and to the Regional Offices with respect to difficult or novel legal issues arising in the processing of unfair labor practice charges. It determines whether charges have merit and, if so, what legal theories would be advanced in support thereof. If the decision is to dismiss a charge, it sets forth the theories that support that decision. In either case, the guidance must take into account the current law and Agency policies as well as an analysis of how those legal principles and policies may be evolving.

Injunction Litigation Branch

The Injunction Litigation Branch implements, in conjunction with the Regional Offices, the General Counsel's Section 10(j) program to obtain interim injunctions to restore or preserve the status quo where necessary to preserve the effectiveness of the Board's ultimate remedial order. The Branch evaluates Regional recommen-

dations for seeking interim injunctive relief and drafts recommendations to the Board in cases in which the General Counsel recommends seeking such relief. It provides to Regional Offices resource materials and training on the investigation and litigation of Section 10(j) cases.

The Branch also advises and assists Regions in the litigation of both Section 10(j) and Section 10(l) injunction cases in the U.S. district courts, and directly handles all appellate litigation before the U.S. courts of appeals in such cases.

Legal Research & Policy Planning Branch

The Legal Research & Policy Planning Branch provides agency employees with current summaries of NLRB and related court decisions both through the publication of case digest summaries and through an electronic research database. It also processes documents for release to the public pursuant to the Freedom of Information Act, develops and promulgates changes in the Board's procedural rules which are then published in the Federal Register, and provides assistance with a number of other Agency programs, including processing cases arising under the Equal Access to Justice Act and development of internal and web-based electronic research tools.

QUALIFICATIONS

The Honors Program is highly competitive, and candidates are selected on the basis of merit. Selection for the Honors Program is based on the consideration of many factors, no one of which is determinative: academic achievement; law journal or other relevant writing experience; relevant law courses; moot court competition, legal aid, and legal clinic experience; and summer and/or part-time employment. Of particular interest are academic studies, extracurricular activities, and experience that is directly related to labor and employment issues.

A graduate of an approved law school may enter on duty as a law clerk prior to admission to the Bar. A law clerk appointment will be changed to an attorney appointment automatically when a law clerk is admitted to the Bar. A law clerk appointment is limited to 14 months, and cannot be renewed or extended. Membership in the Bar of any state, territory or the District of Columbia is sufficient.

TRAINING AND CAREER DEVELOPMENT

As a new attorney, you will be assigned to a supervisor/mentor who, by means of informal discussions and assigned readings, will give you a working knowledge of court cases, Board decisions and Agency policies and procedures. You will start developing an awareness of how the National Labor Relations Act is brought to life and implemented by Agency procedures and court decisions. Training and professional development are continuous. Generally, responsibilities come sooner and in greater degree to attorneys with the federal government than to new attorneys in private law firms. This is particularly true at the National Labor Relations Board.



Training conference for new Agency attorneys.

The Agency also conducts area and national conferences of professional personnel, exchange programs among offices within the Agency, and a career planning and executive development program, and participates in training institutes and conferences conducted by other government agencies, private associations, and educational institutions.

Agency policy is to help employees develop to their fullest capacity as quickly as possible, from the standpoint of both productivity and earning power.



Audience views the Board's 65th Anniversary Celebration conference.

BENEFITS

Annual Leave

Paid leave for vacations and other personal use (known as annual leave) increases as your Government service increases, starting with 13 working days per year for employees with less than 3 years' service. Annual leave increases to 20 working days per year, the equivalent of a 4-week paid vacation after the third year of Government service, and increases again to 26 working days for those with 15 or more years.

Holidays

Employees are granted 10 paid holidays each year.

Sick Leave

The 13 days of sick leave that you earn each year accumulate without limit when not used and protect you from loss of salary due to illness. Annual leave may also be used for illness. After a few years of service, you will have earned and should accrue enough leave to ensure that you are protected from a loss in pay during an illness of several months.

Health Insurance

Federal employees have access to one of the best programs in the country in the Federal Employees Health Benefits (FEHB) program. The FEHB offers the widest selection of health plans in the country. You can choose from among Managed Fee-for-Service plans, plans offering a Point of Service product, and Health Maintenance Organizations. The government pays a substantial portion of the premiums while you pay the rest. There is a plan to meet every employee's health care needs and budget. For more information, go to www.opm.gov and click on Health Insurance.

As an additional benefit, as of October 1, 2000, Federal employees' premiums for health insurance will be taken from "before tax" salary; i.e., you do not pay tax or Social Security on that portion of your salary deducted for health insurance premiums. Depending on your tax bracket, this initiative will save you 25% or more of your insurance costs.

Retirement

The Federal Employees Retirement System (FERS) is a response to the changing times and Federal workforce needs. Many of its features are portable so employees who leave Federal employment before retirement eligibility may still qualify for benefits. The plan is also flexible, allowing covered employees to make significant choices regarding their retirement program. FERS has three components: Social Security Benefits, Basic Benefit Plan and the Thrift Savings Plan. For more information on the Thrift Savings Plan, see the next paragraph. For more information on FERS, go to www.opm.gov and click on Retirement.

Thrift Savings Plan

The Thrift Savings Plan (TSP) offers Federal Civilian employees the same type of savings and tax benefits that many private corporations offer their employees under 401k plans. The TSP is a defined contribution plan. The retirement income you receive from your TSP account will depend on how much you have contributed to your account during your working years (which affects the amount of the government's matching contributions) and the earnings on these contributions.

FERS employees receive government contributions to their TSP accounts. The government contributes an automatic one-percent of your basic pay into your TSP account each pay period. Additionally, the government will match your contributions up to four percent of your basic pay. This brings the maximum government contribution to five percent of your basic pay. You may contribute up to 13 percent of your basic pay. Furthermore, your contributions to TSP are in "before tax" salary and the earnings on your account are not taxed until you withdraw the money. Other plan features include a choice of investment options, inter-fund transfer ability, loans of your own contributions, in-service withdrawals under certain circumstances, and portable benefits if you leave Federal service.

Military Service

If you are a member of a military reserve unit and must attend annual training, you will receive up to 15 days of military



NLRB Softball Champions, comprised of attorneys and law clerks (along with their children) on the Board Members' staffs and the Office of the Solicitor.

leave with full pay. Time spent in the military service counts toward service requirement for leave purposes.

Awards

NLRB employees are eligible for a variety of cash awards and additional paid time off, for noteworthy performance. Cash awards can be as much as 3% or more of annual salary, and may be earned for either sustained noteworthy performance or special acts.

Other Benefits

Career development, through interesting and varied assignments, transfers, special projects, participation in on-the-job and formal training activities, and tuition subsidies, are all available, depending on your interests and abilities, the Agency's needs and funding available.

The NLRB is very progressive in developing and offering flexible work schedules, including work-at-home arrangements in some cases. Compensatory time off is available for overtime work.

The Headquarters office offers a subsidized, on-site fitness center.

The NLRB has an active Employee Assistance Program. Features include free flu shots, periodic health information and screening programs, access to Agency-paid counseling for short-term problems and similar activities.

The NLRB Credit Union offers a range of financial services, such as checking and savings accounts, and loans at competitive rates.

The NLRB also offers a transit subsidy program, whereby a portion of your mass transit commuting costs will be paid for through Agency-issued vouchers, resulting in more money in your pocket if you leave your car at home.



Farewell lunch meeting of summer law clerks, Deputy General Counsel John E. Higgins, Jr. (second from left) and Office of employee Development officer Eleanor Harvey (fifth from left)

TRAVEL

As an attorney with the NLRB you may be called on to do some traveling. Just how much travel you will do will depend on your assignments. Attorneys in the Washington, D.C. headquarters non-litigating offices generally travel only occasionally.

EMPLOYMENT POLICY

Appointments under the Honors Program are made pursuant to a recruitment and selection policy that prohibits political considerations of any kind in your selection, retention, or future advancement in the Agency. Your employment and future career will be free from the influence of extraneous considerations such as race, sex, religion, national origin, age, nepotism, employee union or fraternal affiliation, and personal or partisan sponsorship.

EXPERIENCED ATTORNEY EMPLOYMENT

Applicants for experienced attorney positions must have had their J.D. degree for at least one year (or have their LL.M. or other graduate law degree in addition to a J. D.). Also, applicants must be duly licensed and authorized to practice as an attorney under the laws of any state, a territory or the District of Columbia. Attorneys interested in applying for experienced attorney positions are encouraged to peruse this handbook and the Agency's website (www.nlr.gov) to learn about the legal work of the National Labor Relations Board's offices. If you have specific inquiries regarding a par-

ticular office, please feel free to contact the office at the address or telephone number provided on the Agency website. Applicants should submit their resumes directly to any office in which they have an interest.

LAW INTERN PROGRAM

Law students who have completed their first or second year of law school may be employed in one of the Agency's headquarters offices, through the Agency's law intern program. The program operates during the school year as well as during the summer. Candidates must have strong research and writing skills, and it is preferred, although not required, that they have taken labor law courses.

The Agency will cooperate with any university-sponsored program providing for academic credit. Paid positions, when available, are assigned a GS-7 level (approximately \$620 per week January 2003),



In 1994, the Board created the Partnership Council, a meeting of which is pictured above. The Partnership Council consists of representatives of management, labor and other groups, and its purpose is to advise the Board with respect to government reinvention issues and other initiatives.

or if the student has not completed 2 years of law study, a GS-5 level (approximately \$500 per week as of January 2003). Law interns will be given legal assignments commensurate with their ability, and every effort will be made to provide the student with as much legal experience as they can handle. If you have specific questions concerning the type of legal assignments that are available to a law intern in a particular office, please feel free to contact that office at the address or telephone number provided on the Agency website. You may also find further information about the law intern opportunities in each of the Agency's headquarters offices on the Agency's website (www.nlr.gov). Applicants for a law intern position should submit their resumes directly to any office in which they have an interest.



Meeting of staff attorneys participating in the Agency's pro bono program.

efforts to address the unmet needs of our communities. In addition to helping others, the Program provides attorneys immediate opportunities for direct contact with clients and assists in the development of their interviewing, counseling, negotiating, advocacy and litigation skills.

PRO BONO OPPORTUNITIES

Interested lawyers may participate in the Agency's Pro Bono Legal and Volunteer Program. Adopted in 1997, the Agency's Pro Bono Program identifies volunteer opportunities and facilitates participation in them by Agency lawyers—enabling all Agency lawyers to more fully participate in voluntary



Agency attorney William Mascioli (on left) counseling pro bono client.

APPLICATION MATERIALS

Each application package must contain the following information, collated and stapled in order:

- your completed application form (see Honor Program Application)
- your current resume
- your law school transcript (official or unofficial), or a list of all of your law school courses with number of credits and grades received (attach a copy of your law school's grading system explanation if it is available).
- two writing samples

APPLICATION ADDRESSES

To apply to the National Labor Relations Board's Honors Program, submit your application package to each of the offices in which you are interested at the addresses listed below:

BOARD OFFICES

(Including staffs of Chairman Robert J. Battista, Member Wilma B. Liebman, Member Peter C. Schaumber, Member Dennis P. Walsh, Member A. Alexander Acosta, and Office of the Solicitor.)

Office of the Executive Secretary
Enid Weber, Associate Executive Secretary
National Labor Relations Board
1099 14th Street, N.W., Suite 11608
Washington, DC 20570-0001
(202) 273-1937

With respect to applications to work on a Board Member's staff, you may specify the Board Member's staff on which you would like to work.

DIVISION OF ADVICE OFFICES

(Including Regional Advice Branch, Injunction Litigation Branch and Legal Research & Policy Planning Branch.)

Division of Advice
Barry J. Kearney, Associate General Counsel
National Labor Relations Board
1099 14th Street, N.W., Suite 10406
Washington, DC 20570-0001
(202) 273-3800

DIVISION OF ENFORCEMENT LITIGATION OFFICES

Appellate Court Branch
Linda J. Dreeben, Assistant General Counsel
National Labor Relations Board
1099 14th Street, N.W., Suite 8100
Washington, DC 20570-0001
(202) 273-2977

Office of Appeals
Steve Freedman, Supervisory Attorney
National Labor Relations Board
1099 14th Street, N.W., Suite 8822
Washington, DC 20570-0001
(202) 273-3775

Contempt Litigation & Compliance Branch
Daniel Collopy, Deputy Assistant General Counsel
National Labor Relations Board
1099 14th Street, N.W., Suite 10700
Washington, DC 20570-0001
(202) 273-3745

Special Litigation Branch
Margery E. Lieber, Assistant General Counsel
National Labor Relations Board
1099 14th Street, N.W., Suite 8600
Washington, DC 20570-0001
(202) 273-2940

Supreme Court Branch
John Arbab, Assistant General Counsel
National Labor Relations Board
1099 14th Street, N.W., Suite 10806
Washington, DC 20570-0001
(202) 273-2954

